

CHADBOURNE

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11/19/12
November 15, 2012

VIA HAND DELIVERY

Hon. Michael H. Dolinger
United States Magistrate Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Room 1670
New York, NY 10007-1312

ENDORSED ORDER
Application granted
11/16/12 [Signature]

Re: St. Paul Fire & Marine Ins. Co. v. Aseguradora de Creditos y Granatias, S.A.
12-Civ-4627 (LAK) (MHD)

Dear Judge Dolinger:

We represent plaintiff, St. Paul Fire & Marine Insurance Company ("St. Paul"). We write to update the Court as regards plaintiff's efforts to effect service of process on defendant in the Republic of Argentina, and to request a 45 day extension of time within which to complete service and to file an affidavit attesting so. Plaintiff's current deadline for completing service is November 16, 2012.

Before we last wrote to the Court (on October 9, 2012), we had made arrangements with TransPerfect Legal Solutions ("TransPerfect") to translate the summons, complaint and ancillary documents (the "Litigation Papers") into Spanish and to effect service of the Litigation Papers upon defendant, Aseguradora de Creditos y Granatias, S.A. ("ACG"), in Argentina in accordance with the Hague Convention. Since October 9, 2012, TransPerfect completed the translation (on or about October 12, 2012) and delivered the Litigation Papers to Crowe Foreign Services ("Crowe"), a specialist in effecting service abroad. TransPerfect delivered the Litigation Papers to Crowe on or about October 17, 2012.

Last week, we telephoned TransPerfect to determine the status of service. Yesterday, after making several follow-up calls, TransPerfect provided us an affidavit (copy enclosed) that indicates that on November 14, 2012, Crowe forwarded the Litigation Papers to the Argentine Central Authority, which is the entity authorized under Argentine law to effect service of foreign process on Argentine nationals. Crowe is now awaiting confirmation from the Central Authority -- an entity over which neither Crowe, TransPerfect, plaintiff nor we exercise any control -- that the Central Authority has actually delivered the Litigation Papers to ACG. According to Crowe, in its experience, the Central Authority could take five to six months to perform its functions and to acknowledge to Crowe that the Litigation Papers have been served upon ACG. See Affid. at ¶¶ 6-8.

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Hon. Michael H. Dolinger

-2-

November 15, 2012

Plaintiff has done everything within its control to effect service upon ACG under the Hague Convention. Plaintiff must now await action by the Central Authority in Argentina. Given the circumstances, plaintiff respectfully requests an extension of its November 16, 2012 deadline for completing service. Plaintiff proposes a 45 day extension -- to January 2, 2013. Please let us know whether this extension is acceptable to the Court. (If we have not received a return of service from the Central Authority by late-December, we, on St. Paul's behalf, will request a further extension.)

Respectfully,



John F. Finnegan

Enclosure

cc: David Y. Livshiz, Esq.
David M. Raim, Esq.

(Via E-mail)

(Via E-mail)